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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,486	11/27/2001	Krishna Sundaresan	081862.P251	2696

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EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/996,486	SUNDARESAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	DAVID Y. ENG	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

Art Unit: 2155

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

A new abstract in compliance with the above is requested.

The drawings are objected to under 37 CFR 1.83(o) for lack of legends. Further, formal drawings are requested.

In lines 4 and 9 of paragraph 0004, there is no network 100 in the drawings.

In the second last line of page 3, it is not clear what VPI / VCI is.

It is not clear what SIG and NSAP are. Applicants are requested to expand all first occurrence acronyms in the specification.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Art Unit: 2155

The specification fails to explain how the invention as claimed helps to solve the inefficiencies associated with changing the address of an endpoint destination node (par. 0020,). In fact, the prior art SPVC connections as described in BACKGROUND does not require any changing of the address of an endpoint destination node. No inefficiency is seen in the prior art as described on pages 2-6 of the specification. The specification fails to explain how the invention as claimed or the flow chart as shown on Figure 5 are related to routing a cell from a source node (102<sub>1</sub> for example) to destination node (102<sub>7</sub>) and how that would make SPVC connections associated with changing the address of an endpoint destination node more efficient.

Claims 1-9 and 17-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Scope of the claims is not clear. The claims merely recite a node for passing (receiving and in turn issuing) information containing address change of the node in a PNNIATM network. No meaningful function or improvement is seen. Applicants are suggested to combine claim 1 with claim 10 and claim 17 with claim 25.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of Eriksson (USP 6,243,384).

Applicants admit on pages 2-6 (BACKGROUND OF THE INVENTION) of their specification that PNNIATM network as shown in Figure 1 is well known in the art, that PVA, SVC and SPVC connections are also well known in the art [par.0003]. Applicants also describe on pages 3-6 how PVA, SVC and SPVE connections are made in prior art PNNIATM networks for transmitting cells from one node 102<sub>1</sub> to another 102<sub>7</sub>. There is no description of issuing PTSE from a node in response to notification of address change of the node. See at least the abstract, Figures 1 and 8A in Eriksson. Figure 1 of Eriksson shows an ATM switching node 20 of a PNNI protocol network. The node includes a node control comprising a call control 54, routing determination 56, topology cell handling and a table handling unit 60 comprising address analysis, routing analysis, local look-up, routing tables and table maintenance logic 78 (see abstract) for changing addresses stored in the tables in response to both address change initiated by operator and PNNI address updating information generated by a PNNI protocol unit 56 (see abstract). With respect to claims 1 and 17, see lines 53 et seq. of column 5 in Eriksson. In Eriksson, topology cell handling unit 52 builds the topology database of ATM switching node 20 in response to PTSE received from the other node. Each node generates a PTSE for the other node to receive in response to the received PTSE. The result is, each node updates the address change in response to PTSE propagating through the nodes of the network system.

Art Unit: 2155

With respect to claims 2 and 18, PTSE is inherently embedded within a PTSP packet.

With respect to claims 3 and 19, the PTSE of Eriksson can be issued at anytime.

With respect to claim 4 and 20, address change obviously is a worthy event.

Eriksson also issues notification only when it is worthy.

With respect to claims 5 and 21, the PNNI ATM network of Eriksson is a peer network within a larger network also (see line 57 of column 1).

With respect to claims 6 and 22, all information has a limited lifetime. Lifetime is ended when the information is not true or need to be changed.

With respect to claims 7 and 23, the initiation of address change in Eriksson can be come from an operator also.

With respect to claims 8 and 24, address change always comprises new and old addresses.

With respect to claims 9 and 25, the address in Eriksson is in an format requires in PNNI network system.

- Claims 10-16 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson (USP 6,243,384) in view of Rochberger (USP 6,208,623).

Eriksson taught claim limitations set forth above. With respect claims 10 and 25,

Eriksson taught:

a method, comprising:

a) receiving PTSE information that has SIG information at a node within a PNNI ATM network, said SIG information describing an address change of another

Art Unit: 2155

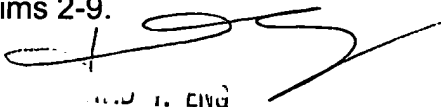
node within said PNNI ATM network, said other node a destination endpoint for an SPVC that flows within said PNNI ATM network to said other node, said SIG information having an old address for said other node and a new address for said other node (see interpretation of Eriksson in the rejection above);

b) comparing said old address for said other node with an SPVC destination node address maintained by said node to establish an SPVC connection supported by said node; and

c) replacing said SPVC destination node address with said new address if said old address and said SPVC destination node address match.

Although Eriksson taught using PTSE to update address database, Eriksson did not explicitly disclose that is done by comparing old addresses in order to locate the address to be changed and replacing that with new address (steps b and c of the claims). Rochberger also disclosed a PNNI network system (see PNNI in abstract). Rochberger also taught using PTSE to update address database (see "PTSE --- updates topology database ---" in lines 55 et seq. of column 3). That is done by comparing and replacing prefixes (see column 2 lines 31-40; column 6 line 24+ and lines 56-61). It can be seen that comparing and replacing are inherent in locating and changing anything including addresses as taught by Rochberger. It would have been obvious to a person of ordinary skill in the art to update a node address in Eriksson by comparing and replacing as taught by Rochberger so that the address to be changed can be located and updated.

Claims 11-16 and 26-28 are rejected in the same manner as claims 2-9.



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PRIMARY EXAMINER